

wrote him a letter and received a response, which I will read:

November 19, 2013.

Dear Senator MCCAIN,

I regret that in my current posture as a nominee and private citizen, I am not now in a position to commit to provide the information you seek from the Department of Homeland Security.

At this point, I must respectfully refer you to the Department's current leadership. I know this was a matter of discussion between you and Secretary Napolitano, and I understand your frustration. As I believe I have demonstrated to you and others on the Senate and House Armed Services Committee—

Why he said Senate Armed Services Committee, I am not sure.

—I have a strong respect for Congress' oversight role. If I am confirmed, and if your request is still outstanding at that point, I promise that addressing your letter will be a top and immediate priority for me.

This is the November 19, 2013, letter from Mr. Jeh Charles Johnson.

In other words, the nominee for the Department of Homeland Security, who has direct responsibility for securing our borders, direct responsibility as outlined in legislation passed by this body, the comprehensive immigration reform bill, refuses to give me and this body the information. I hope there are other Senators who might be interested in what is necessary to achieve 90 percent effective control of our borders. He refuses to give me that information.

Thanks to the good offices of my beloved friend CARL LEVIN and my dear friend Senator CARPER, I just came from a meeting in my office with Mr. Jeh Johnson. Mr. Jeh Johnson again repeated to me that he could not give me the information of what is necessary, what tools are necessary to ensure 90 percent effective control of our border.

Allegedly, he is being prevented from doing that by the White House. It is stunning. Why would the White House prevent the nominee for Secretary of Homeland Security from providing this to Members of the Senate and members of the committee that has oversight of homeland security, which is fundamental information if we are going to achieve effective control of our border?

I go home to Arizona and I say: Yes, it is in the law, my friends. It is in the law that we are going to have to get 90 percent effective control of our border, but I don't know how we do it because the agency that will be required to do it will not give me the necessary information to do it.

My friends, we will voting on Monday to confirm Mr. Johnson. He will be confirmed. There is no doubt about it now that we have majority vote. We have now deprived Republicans of their advice and consent responsibilities and authority. We have not only changed the rules of the Senate, we have abridged the Constitution of the United States because the only way that I could have received this information from Mr. Johnson was if I had said: I

can't approve of your nomination until you provide the information which, by any objective observer, I am entitled to—not only entitled to; it is my responsibility to know that. It is my responsibility. That is why we have a committee. That is why we have a committee, the homeland security committee, that has oversight of the functions of the executive branch. That is how equal branches of government are supposed to function.

Mr. Johnson will be confirmed, and the message will go out, believe me: You don't have to answer a question by a Republican Senator. You don't have to respond to a straightforward question.

There was nothing devious about the question I asked Mr. Johnson. There was nothing complicated. They certainly should have the information of what steps and measures are necessary to ensure 90 percent effective control of our border—which is a requirement in the law, if it is ever passed. Certainly the requirement was passed by the Senate.

It is kind of a sad day. It was a sad day for me when we changed the rules. It was a sad day for me to see people who have been here a very short period of time basically shatter the comity which exists and which is vital to doing business in the Senate.

I also would point out to my colleagues—particularly those who are new and who drove this change in the Senate rules—what goes around comes around and what goes around will come around. To their deep regret, some day—I say to the President and I say to my colleagues who voted for it on a party-line vote, for the first time in history changing the rules of the Senate from 67 votes to 51 votes—they will regret it.

The people who will suffer greatly from this are the American people because this place is largely dysfunctional anyway. If we think it was dysfunctional before, wait and see. I say that with deep regret because I value and treasure my relationships with my colleagues on the other side of the aisle. Some of the best friends I have are on the other side of the aisle. But to expect to do business as usual when I can't even get a straight answer for a question that—now by not having the answer inhibits and in many ways prohibits my ability to respond and carry out my responsibilities to the citizens of my State—cannot go without being responded to.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. REID. I now yield back all time on the Patterson nomination.

VOTE EXPLANATION

Mrs. BOXER. Madam President, I was unable to attend the rollcall vote on the nomination of Heather Anne Higginbottom to be Deputy Secretary of State for Management and Resources and the rollcall vote on the motion to invoke cloture on the nomination of Anne W. Patterson to be an Assistant Secretary of State. Had I been present for these two votes, I would have voted "aye."

MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO GREG JONES

Mr. MCCONNELL. Madam President, I come to the floor today to recognize the retirement of an upstanding citizen from the Commonwealth of Kentucky, and to pay tribute to his career of service to my home State. This month, Greg Jones concludes over 21 years as executive director of the non-profit Southeast Kentucky Economic Development Corporation, SKED. His daily presence at the helm of the organization will be sorely missed, but his legacy will endure in the thousands of jobs he helped create and the increased economic vigor he helped bring to the region.

When he first took the job at the behest of Congressman HAL ROGERS in 1992, Greg oversaw a two-person staff and commanded a \$75,000 budget. Under his leadership the organization has grown to its current staff of 10 professionals and a budget of nearly \$2 million. Throughout his tenure as executive director, Greg marshaled SKED's resources to help start and expand businesses, provide training for entrepreneurs, and attract new industries to the corporation's 45-county service area. Under Greg's watch, SKED has unquestionably lived up to its stated mission—"to foster economic growth and vitality in the region."

I ask my Senate colleagues to join me in recognizing Greg's exemplary career as well as wishing him a happy retirement with his wife Belinda and son Christopher.

An article about Greg Jones's retirement from SKED recently appeared in an area newspaper, the Commonwealth Journal. I ask unanimous consent that the full article be printed in the RECORD.

There being no objections, the article was ordered to be printed as follows:

SKED EXECUTIVE DIRECTOR GREG JONES
RETIRED IN DECEMBER

[From the Commonwealth Journal,
Oct. 13, 2013]

SOMERSET, KY.—Greg Jones, executive director of Southeast Kentucky Economic Development Corporation (SKED), will retire in